

## REMARKS

The Examiner's arguments are noted and it is realized that the Applicant's representative may not have expressed sufficiently clearly the distinction between the present invention and the cited prior art.

It is agreed that Westberg teaches "discriminating" between signals and it may be useful to remind ourselves of the definition of this term.

Webster's Encyclopedic Unabridged Dictionary of the English Language from 1996 has the following definition of discriminate: "to make a distinction in favor or against a ... thing on the basis of the group class or category to which that ... thing belongs ...".

In Westberg, the distinction is on the basis purely of the input port at which the signal enters the mux. There is no teaching in Westberg that shows the skilled worker how to discriminate between different types of signal per se. For example, if, in the system of Westberg, different types of signal were to arrive at a single input to the mux, the arrangement of Westberg would be unable to discriminate between them. The system of Westberg depends on only a single type of AAL being sent to each port on the mux. Westberg does not teach how this is achieved. For Westberg to work, something not specified by Westberg must previously have identified the type of signal and have directed it to the appropriate mux input. Westberg does not teach how this is done. The present invention solves this problem.

The system taught by the present inventor advantageously provides systems and methods that allow traffic to be identified according to whether it is AAL2 or pure ATM. The present invention works by either changing the content of the cells or by providing additional

signaling to clearly indicate whether a signal is AAL2 or pure ATM independent of any mux/demux arrangement. Westberg does not teach this.

The Examiner has indicated that several of the dependent claims could be allowable if recast in independent form. Each of these dependent claims sets out a specific means or method for discriminating between AAL2 and ATM signals according to the present invention. The Examiner is rightly of the opinion that such means and methods are not taught by Westberg. It is submitted that, in fact, Westberg does not teach any means or method to achieve this.

It is further submitted that the contribution provided by the inventor of the present invention to the art is, as indicated in the description, not restricted to a specific means or method but extends to the realization that discrimination between these data types may be simply and effectively achieved in a number of different ways, some of which are set out, by way of example, in the description. In recognition of this contribution, the scope of protection offered the applicant should not be restricted to any specific means or method.

Wherefore, allowance of all the claims currently on file is earnestly solicited.

Respectfully submitted,

KIRSCHSTEIN, OTTINGER, ISRAEL & SCHIFFMILLER, P.C.

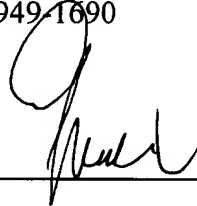
Attorneys for Applicant(s)

489 Fifth Avenue

New York, New York 10017-6105

Tel: (212) 697-3750

Fax: (212) 949-1690



---

Alan Israel

Reg. No. 27,564